

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: M. C. Krofcheck

- ☐ A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above identified national application
- ☒ B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination. This document is merely a re-filing of the IDS filed on July 16, 2004 to correct the informality of not having a signature by the attorney of record.
- ☐ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

(check one of the boxes "i" and "ii" below:)

- ☐ i. Counsel states that, upon information and belief, each item of information listed herein was (check one of boxes (a) or (b))
- ☐ (a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- ☐ (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
- ☐ ii. A check for the fee set forth in 1.17(p), presently believed to be \$180, is enclosed.
- ☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. Under 37 CFR 1.17(i) a check in the amount of \$180.00 is enclosed. Counsel certifies that, upon information and belief, each item of information listed herein was

(check one of the boxes "a" and "b" below:)

- ☐ (a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- ☐ (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate.)

- ☒ A. Pursuant to the Notice issued by the United States Patent and Trademark Office dated July 11, 2003 waiving the requirements of 37 C.F.R. § 1.98(a)(2)(i), a copy/copies of the United States Patent on PTO/SB08 is/are not being submitted.
- ☐ B. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.
- ☐ C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

<<INSERT SERIAL NO. & FILING DATE>>

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449 and/or PTO/SB/08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

- ☐ 3. Cite No(s). _____ are not in the English language.
In accordance with 1.98(c), Applicant states:

- ☐ An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.
- ☐ The requirement for a concise explanation of the relevance of any foreign language document is satisfied by the attached search report; citation of the documents cited in the search report shall not be construed as an admission that they are or are considered to be, material to patentability of the subject matter claimed herein (See MPEP §609).
- ☐ A concise explanation of the relevance of document(s) _____ is set forth as follows: [Insert concise explanation of relevance]
- ☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
- ☐ A concise explanation of document(s) _____ can be found on the attached sheet.

- ☐ 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 in the preamble to the final rules; 1135 OG 13 at 20).
- ☐ 5. Other information being provided for the examiner's consideration follows:

[A/An _____ Search Report, dated _____, which issued during the prosecution of _____ Application No. _____ which corresponds to the present application.]

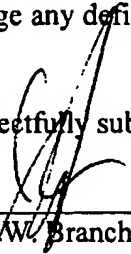
6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Early and favorable consideration is earnestly solicited.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: October 23, 2006

Respectfully submitted,

By 

John W. Branch

Registration No.: 41,633
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(206) 262-8906 • (212) 527-7701 fax
Attorneys/Agents For Applicant

COPY

U.S. Department of Commerce, Patent and Trademark Office					Attorney Docket No.		Serial No.	
					SUN040063		10/795,815	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT					Applicant(s)			
(Use several sheets if necessary)					Michael D. Estlick, Harry R. Fair III, et al.			
					Filing Date		Group	
					March 8, 2004		2186	
U.S. Patent Documents								
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
	AA	5,440,707	Aug. 8, 1995	Hayes et al.	395	403		
	AB	5,497,480	Mar. 5, 1996	Hayes et al.	395	493		
	AC	5,586,283	Dec. 17, 1996	Lopez-Aguado et al.	395	417		
	AD	5,675,729	Oct. 7, 1997	Mehring	395	183.13		
	AE	5,754,818	May. 19, 1998	Mohamed	395	417		
	AF	5,802,568	Sep. 1, 1998	Csoppenszky	711	136		
	AG	5,842,225	Nov. 24, 1998	Kohn	711	202		
	AH	5,918,245	Jun. 29, 1999	Yung	711	122		
	AI	5,899,994	May 4, 1999	Mohamed et al.	707	100		
	AJ	5,938,761	Aug. 17, 1999	Patel et al.	712	238		
	AK	6,006,312	Dec. 21, 1999	Kohn et al.	711	210		
	AL	6,175,898 B1	Jan. 16, 2001	Ahmed et al.	711	137		
	AM	6,341,357 B1	Jan. 22, 2002	Ravichandran	714	38		
	AN	6,490,658 B1	Dec. 3, 2002	Ahmed et al.	711	140		
	AO	6,542,991 B1	Apr. 1, 2003	Joy et al.	712	228		
Foreign Patent Documents								
							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	AP						<input type="checkbox"/>	<input type="checkbox"/>
	AQ						<input type="checkbox"/>	<input type="checkbox"/>
	AR						<input type="checkbox"/>	<input type="checkbox"/>
	AS							
	AT							
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	AU							
Examiner			Date Considered					
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.								